(NORTHERN	DISTRICT OF	OKTVHO	MA
DEFENDANT	JERRY JAMES BAR	RETT		- -		
	<u> </u>		DOCKET NO.	- 1 80-CR-12	17-01-C	
	JUDGMENT AN	ND FREEZATION	COMMITM	ENT ORD	∈R Ao-:	245 (5/7
	In the presence of the attorney the defendant appeared in pers	for the government son on this date	· · · · · · · · · · · · · · · · · · ·	MONTH 2	DAY 27	YEA 198
COUNSEL	without counsel	However the court advised have counsel appointed by the	-	insel and asked whet	her defendant	desired
	XX WITH COUNSEL L	• • • • • • • • • • • • • • • • • • • •	RSON, Court ar	pointed		— — -
PLEA	GUILTY, and the court there is a factual basis fo	being satisfied that or the plea,	NOLO CONTENDEI	RE, <u>XX</u> NOT	GUILTY	
	There being a finding/processes o	of { Lxx.i GUILTY.	Defendant is discharged	I		
FINDING & . Judgment (Defendant has been convicted Section 3150, as			ited Title 1	L8, U.S.	c.
Р.			eri Salaman (1997) Salaman (1997)		es.	
4	gi.				a e tomore	
SENTENCE (OR PROBATION		of the Attorney General or his au	uthorized representative for i	mprisonment for a per	riod of	lefendan
ORDER		en e				
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CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF	In addition to the special condition reverse side of this judgment be in any time during the probation per probation for a violation occurring	ons of probation imposed above, mposed. The Court may change the	it is hereby ordered that the	e general conditions o	f probation set	tion, and
CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF	reverse side of this judgment be in any time during the probation be	ons of probation imposed above, mposed. The Court may change t riod or within a maximum proba during the probation period.	it is hereby ordered that the he conditions of probation, to ation period of five years pe	regeneral conditions o reduce or extend the permitted by law, may it	f probation set eriod of proba ssue a warrant d that the Cierl	tion, and and revo
CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF PROBATION DMMITMENT RECOMMEN-	reverse side of this judgment be in any time during the probation ber probation for a violation occurring	ons of probation imposed above, mposed. The Court may change t riod or within a maximum proba during the probation period.	it is hereby ordered that the he conditions of probation, to ation period of five years pe	egeneral conditions of reduce or extend the permitted by law, may in the series of the	f probation set eriod of proba ssue a warrant	k deliver
CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF PROBATION	reverse side of this judgment be in any time during the probation ber probation for a violation occurring	ons of probation imposed above, mposed. The Court may change t riod or within a maximum proba during the probation period.	it is hereby ordered that the he conditions of probation, to ation period of five years pe	e general conditions of reduce or extend the permitted by law, may it is ordered a certified and commits shall or othe	f probation set eriod of probassue a warrant d that the Clerk copy of this jutternt to the User qualified offices A TRUE Co	k deliver adgment J.S. Mar- cer.
CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF PROBATION OMMITMENT RECOMMEN	reverse side of this judgment be in any time during the probation per probation for a violation occurring. The court orders commitment	ons of probation imposed above, mposed. The Court may change t riod or within a maximum proba during the probation period.	it is hereby ordered that the he conditions of probation, to ation period of five years pe	regeneral conditions of reduce or extend the permitted by law, may it is ordered a certified and commits shall or other	f probation set eriod of probassue a warrant d that the Clerk copy of this jutternt to the User qualified offices A TRUE Co	k deliver adgment J.S. Mar- cer.

AO 245 (5/75) United States (of America vs. United St tes	Dietr	riet Cor	13 m d .
DEFENDANT	the NORTHERN I			
	L. B. MIZE DOCKET NO.	80-CI	R-116-BT	···
	JUDGMENT AND PROBATION/COMMITMEN	T ORD	ER	
	In the presence of the attorney for the government the defendant appeared in person on this date	MONTH 02	DAY 25	YEAR 81
COUNSEL	WITHOUT COUNSEL However the court advised defendant of right to counsel a have counsel appointed by the court and the defendant thereupo	nd asked who	ether defendant	desired to
	X WITH COUNSEL Tom R. Gann, Retained Counsel (Name of counsel)	<u> Ell</u>	ED	_ _ _
PLEA	GUILTY, and the court being satisfied that here is a factual basis for the plea,	ack C. Sil	5 1981 OT GUILTY /er, Clerk	
	There being a finding/marker of \(\text{\text{\$\subset\$NOT GUILTY}}. \text{ Defendant is discharged } \(\text{\text{\$\subset\$X\$}} \) GUILTY.	S.:DISTRI(CT COURT	
FINDING &	Defendant has been convicted as charged of the offense(s) of having violated Section 1343, as charged in the three count Indi	Title ctment.	18, v.s.	c.,
O D G WENT				
	The court asked whether defendant had anything to say why judgment should not be pronounced. By was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convene hereby committed to the custody of the Attorney General or his authorized representative for imprison	icted and orde	ered that: The de	ne contrary efendant is
SENTENCE OR Probation Order	Count 1 - One (1) Year Imprisonment. Counts 2 and 3 - Imposition of Sentence is hereby defendant L. B. Mize is placed on probe of Three (3) Years as to each count. Concurrent with Count 2. The period of probation imposed in Counts 2 and consecutive to the period of imprisonment imposed	ation fount 3 :	or a peri shall run	1 ~ 4
SPECIAL CONDITIONS OF PROBATION	IT IS FURTHER ORDERED BY THE COURT that defendant make restitution as set out in the Agreement for heretofore executed by L. B. Mize and Parker DI IT IS FURTHER ORDERED BY THE COURT that execution deferred until April 20, 1981, at 11:00 A.M.,	E L. B. or Rest	Mize sha itution Company.	
	defendant L.B. Mize is to report to the designation	at which	n time stitution	1.
ADDITIONAL CONDITIONS OF PROBATION	In addition to the special conditions of probation imposed above, it is hereby ordered that the gener reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce any time during the probation period or within a maximum probation period of five years permitted probation for a violation occurring during the probation period.	or extend the i	period of probati	on and at
DMMITMENT Becommen-	The court orders commitment to the custody of the Attorney General and recommends, confinement in a minimum security facility. Approved as to form:	a certified and comm	ed that the Clerk copy of this jud itment to the U.S er qualified office	dgment S. Mar-
DATION	Registant II C Attorner		EB 25 1	,
GNED BY	Variant XIVI	THIS DATE	4 L Vai	<u> 301</u> 19hm
	THOMAS R. BRETT Date Feb. 25, 1981		(X) DE	ERK EPUTY
		40	· 7 • • • • • • • • • • • • • • • • • •	

FILED
FEB 2 5 1981
Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

ORDER

Defendant.

The Court has for consideration the Motion for Reduction of Sentence pursuant to Rule 35 filed by defendant, Jeffrey Karl Johnson, and, being fully advised in the premises, finds:

• The sentence heretofore imposed by this Court on October 30, 1980, is modified as follows:

Count 1-One (1) Year Imprisonment.

The sentence imposed in Count 1 is reduced to six (6) months imprisonment. The sentence imposed in Count 2 is not modified, nor are the conditions of probation imposed in connection therewith.

IT IS SO ORDERED.

ENTERED this 25 day of February, 1981.

THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

FILED

FEB 2 5 1981

Jack C. Silver, Clerk
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
Plaintiff,) 80-CR-90-BI
VS.)
JACK KARL FRIDAY,)
Defendant.)

ORDER

Upon the Court's own Motion, pursuant to Rule 35, the sentence heretofore imposed on Jack Karl Friday, on October 30, 1980, is modified as follows:

"Count 2-Two (2) Years Imprisonment on the condition that defendant be confined in a jail type or treatment type institution for a period of Four (4) Months, the execution of the remainder of period of imprisonment is suspended and the defendant is placed on probation for a period of 20 Months which is to run consecutive to the period of imprisonment."

The conditions of probation are not modified or changed.

IT IS SO ORDERED.

ENTERED this 25 day of February, 1981.

THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

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Northe	rn Distri	ict of Okla	homa		
United States of	America)	Cr	iminal No	80-CR-76	
	}		_		
vs.	{				
JESSE LEE SLOAN	,				
				FEB 2 3 198	k C
	ORDER FO	R DISMISSAL		Jack (), Silver, .	illi. Mudit
5	Rule 48(a) of		Rules of Cri	U.S. DISTRICT C	Oth:
Procedure and by					
Attorney for the	<u>Northern</u>	Distric	t of <u>Oklaho</u>		
hereby dismisses	the Indictmen	nt ment. inform	ation, compla	against	
	•	defendant			
JESSE LEE SL	OAN	derendano	•		
		15	1 J -0 1	0 Suchs -	·
		Asst.	United Stat	es Attorney	
			. O the Power	oing diemissal.	
Leave of court	is granted for	the Illing	Of the lores	OTHE GIBBITSON	
				201/	
			s/H. DALE (COOK les District Judge	
Date: 2-23-8	,				
DC!			FC	ORM OBD-113	
DO1				07 7/	

8-27-74

United States District Court for United States of America vs. NORTHERN DISTRICT OF OKLAHOMA MICHAEL TODD JONES DEFENDANT DOCKET NO. - 80-CR-130-C JUDGMENT AND PROBATION/COMMITMENT ORDER AO-245 (5/75) In the presence of the attorney for the government the defendant appeared in person on this date 20 1981 COUNSEL J WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon walved assistance of counsel. FRED NELSON and FRANK HAGEDORN, retained LXXI WITH COUNSEL (Name of counsel) LXXI GUILTY, and the court being satisfied that PLEA L INOT GUILTY there is a factual basis for the plea, NOT GUILTY. Defendant is discharged There being a finding/vacalkt of IXX GUILTY. Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C., FINDING & JUDGMENT § 656, as charged in the Information. A 10 16 100 The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is treatment and supervision pursuant to Title 18, U.S.C., Section 5010(b) until discharged by the U. S. Parole Commission, as SENTENCE provided by law. 0RIT IS ORDERED that the execution of sentence is deferred PROBATION until May 18, 1981 at 9:00 a.m. ORDER LED SPECIAL CONDITIONS FEB 2 0 1981 OF **PROBATION** Jack C. Silver, Clott U. S. DISTRICT COURT **ADDITIONAL** In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke CONDITIONS ΩF **PROBATION** probation for a violation occurring during the probation period. The court orders commitment to the custody of the Attorney General and recommends, It is ordered that the Clerk deliver a certified copy of this judgment COMMITMENT and commitment to the U.S. Mar-RECOMMENshal or other qualified officer. DATION alelovok J U.S. District Judge 2-20-81

United States District Court United States of America vs.

DEFENDANT	JESSE LEE SLOAN	NORTHERN DIST	RICT OF	OKLAHOMA	-
	9		75 OD 31		
	JUDGMENT AND PROBATION/C	OWNER ALEX			
<u> </u>	In the presence of the attorney for the government the defendant appeared in person on this date		MONTH	DAY	45 (5/75 YEAR
COUNSEL	WITHOUT COUNSEL However the court advised defen	dant of right to counsel	and asked wheth	20 ner defendant	198
	have counsel appointed by the court XX WITH COUNSEL RANDOLPH P. STAIN	t and the defendant thereup	pon waived assista	nce of counsel.	
PLEA	MX GUILTY, and the court being satisfied that there is a factual basis for the plea,		NOT	GUILTY	
	There being a finding kexesist of LXX_1 GUILTY. Defe	endant is discharged			
FINDING & JUDGMENT	Defendant has been convicted as charged of the offense(s) of his 841(a)(1) and Title 18, U.S.C. § 2	, as charged :	d Title 2 in the In	1, U.S.(on.
·				ការ (មក្សារ មិនី មាន (ស្វាក់អនុ	
	The court asked whether defendant had anything to say why judgment s was shown, or appeared to the court, the court adjudged the defendant h来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来来	guilty as charged and con	victed and ordere	d that: The sta	f contrar
SENTENCE OR PROBATION ORDER	THE IMPOSITION OF SENTENCE defendant is placed on probation for				
			, ,		
SPECIAL CONDITIONS OF		FEB 2 0 1981	D MAN	ţ .	
PROBATION	-	FEB 2 0 1981 Jack Silver, C	OURI	,r .	
		no haansa b b		1 1	
ADDITIONAL CONDITIONS OF PROBATION	In addition to the special conditions of probation imposed above, it is he reverse side of this judgment be imposed. The Court may change the cond any time during the probation period or within a maximum probation period or within a maximum probation period.	ereby ordered that the gene litions of probation, reduce	or extend the per	والعدما ووساء ومأم أممان	
	The court orders commitment to the custody of the Attorney Ge	neral and recommends.			

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

COMMITMENT RECOMMEN-DATION

SIGNED BY U.S. District Judge

H. Dale Cook

Date February 20, 1981

U.S. Magistrate

UNITED STATES DISTRICT COURT

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NORTHERN	District of	f	OKLAHOMA
		_	

FEB 19 1981

Lock 0, 0% of Lock Matheor	01% 6085
80-CR-78	

United States of America

vs.

MICHAEL JONES, et al.

ORDER FOR DISMISSAL

Criminal No.

Pursuant to Rule 48(a) of the Federal Rules of Criminal

Procedure and by leave of court endorsed hereon the United States

Attorney for the Northern District of Oklahoma

hereby dismisses COUNT II of the INDICTMENT against (indictment, information, complaint)

KELLI MEEK defendant.

Asst. United States Attorney

Leave of court is granted for the filing of the foregoing dismissal.

S/ JAMES O. ELLISON

United States District Judge

Date: January 16, 1981.

FORM OBD-113

8-27-74

DOJ

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED	STATES	OF 2	AMERICA,)		ı
		P18	aintiff,)		
٧.)	No.	73-CR-113
LARRY I	DEAN TUE	RNER	_)		

Defendant-Movant

FILED

FEB 1 9 1981

ORDER

Jack C. Silver, Clerk U. S. DISTRICT COURT

The defendant has filed a Motion for Order of Release alleging he has served the sentence imposed herein, and the parties have briefed the issue raised in said motion. The defendant's motion was apparently filed as a result of the decision of the Court of Appeals reversing and remanding for further proceedings an appeal of the court's denial of his Motion to Vacate Sentence under 28 U.S.C. § 2255.

§ 2255 does not grant district courts subject matter jurisdiction over all types of post-conviction claims. United States, 501 F.2d 494, 500 (8th Cir. 1974). Matters relating to execution of sentence, such as raised by the defendant herein, as opposed to matters concerning the imposition of sentence, are not cognizable in a § 2255 proceeding before the sentencing court, but must be asserted in a proper habeas suit instituted in the judicial district where the defendant is in custody. Robinson v. United States, 474 F.2d 1085, 1091 (10th Cir. 1973); Wright v. United States Board of Parole, 557 F.2d 74, 77 (6th Cir. 1977). Any relief that might be available to the defendant can only be sought by proceeding in the proper forum.

Accordingly, the defendant's Motion for Order of Release be and the same hereby is denied this // day of February, 1981.

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

NORTHERN District of OKLAHOMA	
United States of America Criminal No. 80)-CR-125-Bt
\	
LABAN MARCHMONT MILES)	
ORDER FOR DISMISSAL	
Pursuant to Rule 48(a) of the Federal Rules of Crimins	J
Procedure and by leave of court endorsed hereon the United	States
Attorney for the Northern District of Oklahoma	1
hereby dismisses the INDICTMENT (indictment, information, complaint)	
)
LABAN MARCHMONT MILES defendant.	
FILED IN OPEN COURT	F
IN OPEN COURT	j.
FEB 1 71981	
JACK C. SILVER, CLI U. S. DISTRICT COU	ERK PRT
	•••
Asst. United States Att	torney
Leave of court is granted for the filing of the foregoing	lismiss al.
S/ THOMAS R. E	BRETT
United States Die	strict Judge
Date: February 17, 1981.	
FORM OBI) - 113
DOJ 8-27-74	

United States	of America vs. United States	s Distr	ict Co	ourt f
DEFENDANT	KELLI MEEK NORTHERN DIST	TRICT OF	<u>OKLAHOM</u>	<u> </u>
	L DOCKET NO. ▶ L	80-CR-78	-E	
	JUDGMENT AND PROBATION/COMMITME	NT ORD	ER AO	-245 (5/75)
	In the presence of the attorney for the government the defendant appeared in person on this date	MONTH 2	DAY 13	YEAR
COUNSEL	WITHOUT COUNSEL However the court advised defendant of right to counse have counsel appointed by the court and the defendant theretain a with the court and the defendant theretain and the counsel with the court advised defendant of right to counse have counsel appointed by the court and the defendant theretain a with the court advised defendant of right to counse have counsel appointed by the court and the defendant of right to counse have counsel appointed by the court and the defendant of right to counse have counsel appointed by the court and the defendant of right to counse have counsel appointed by the court and the defendant of right to counse have counsel appointed by the court and the defendant theretain the court and the defendant of right to counsel with the court and the defendant theretain the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the counter of the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel with the court and the defendant of right to counsel wit	l and asked who	ther defendar	nt desired to
PLEA	GUILTY, and the court being satisfied that here is a factual basis for the plea,	NO	T GUILTY	
	There being a finding transfer of \(\times \text{ULJ NOT GUILTY.} \) Defendant is discharged \(\times \text{ULJ GUILTY.} \)			
FINDING & JUDGMENT	Defendant has been convicted as charged of the offense(s) of having violat Sections 952(a), 960(a)(1) & 963 as charged in Co-Indictment.	ed Title unt one	21, U.S	s.c.,
SENTENCE OR PROBATION ORDER	was shown, or appeared to the court, the court adjudged the defendant guilty as charged and content and the department of sentence is suspended and the deplaced on probation for a period of THREE (3) YEAR Pursuant to TI 18, U.S.C., Sec. 5010(a), under the Youth Correction Act.	rxxxxxxxx efendant	is here	hv
		· (1)	is) ; gane () ; had () ;	
SPECIAL		FEB 1 3 3	1981	
CONDITIONS OF PROBATION		Jack (). Silve S. DISTRIC		
,				
ADDITIONAL				:
CONDITIONS OF PROBATION	In addition to the special conditions of probation imposed above, it is hereby ordered that the genereverse side of this judgment be imposed. The Court may change the conditions of probation, reducing time during the probation period or within a maximum probation period of five years permit probation for a violation occurring during the probation period.	ce or extend the r	eriod of proba	tion and at
COMMITMENT Recommen-	The court orders commitment to the custody of the Attorney General and recommends	It is ordere a certified and commi	d that the Cler copy of this ji tment to the l er qualified off	udgment J.S. Mar-
DATION		CERTIFIED A	AS A TRUE CO	DPY ON
IGNED BY	ct lugge			
U.S. Distri	James O. Ellison] By	•	CLERK
				h

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)						
Plaintiff,)			I	L		() اوره اد
v.)))	No.	73-CR-113	FE	313) 156	1
LARRY DEAN TURNER,)						
Defendant-Movant.)					er, M Gillu	

ORDER

The judgment of the Court of Appeals was filed on January 5, 1981, reversing and remanding this case for further proceedings in accordance with the Opinion of said Court. appeal was taken from the denial of a Motion to Vacate Sentence under 28 U.S.C. § 2255 which, inter alia, challenged the voluntariness of the pleas of guilty which were entered in Hughes County, Oklahoma on August 5, 1971 to 10 charges of Burglary and Grand Larceny. During the trial in the instant case for Interstate Transportation of Forged Securities on October 29, 1973 the movant was examined and admitted entering said 10 pleas of guilty. The Hughes County charges were dismissed with prejudice and expunged from the record under the Oklahoma Deferred Judgment Act, 22 O.S. (1978) § 991(c) on August 21, 1975. Citing Boykin v. Alabama, 395 U.S. 238 (1969), the Opinion of the Court of Appeals noted that " . . . the trial court may have incorrectly placed the burden of proof on the petitioner to show that the plea was involuntary."

The transcript of testimony of the defendant's pleas of guilty in state court on August 5, 1971 does not completely demonstrate on its face the voluntary nature of the defendant's pleas. (Exhibit H, Answers to Interrogatories by James C. Daugherty.) The state transcript does reveal that the defendant expressly waived his right to a jury trial, that he entered the pleas of guilty upon the advice of his attorney, following which the two-year deferred sentence was imposed. The evidentiary

record in this case has been developed through interrogatories in accordance with Reed v. United States, 438 F.2d 1154, 1156 (10th Cir. 1971). In the interrogatory answers of the defendant's mother, Mrs. Elma Mae Medler, insofar as pertinent to the defendant's guilty pleas in August 1971, were statements that threats were made by Sheriff Elbert Moore which included statements that defendant would not be released from jail if he didn't admit his guilt, although he was released on his own recognizance; that Sheriff Moore would kill movant if he didn't plead guilty, but Mrs. Medler encouraged the dedefendant to plead guilty to " . . . end the harassment received from Sheriff Moore, would help curb expenses, lessen the chance of more embarrassment--, save engageing[sic] a new attorney, and would end the agonizingly long delay from the initial arrest in 1968 until almost three years later." Mr. James C. Daugherty, privately retained counsel, testified that plea bargaining was intensive and continuous, that continuances were to permit movant to finish college, make restitution to the victims of the burglaries and larcenies, and for the district attorney to observe his deportment; that he was aware of no death threat on defendant by Sheriff Elbert Moore, that the only force used on defendant was when he was arrested, and Mr. Daugherty made a record at preliminary proceedings that defendant's right eye was black and nose appeared to be swollen; that the "gist" of the three constitutional rights were explained to movant over a two-year period including right to jury trial, not to incriminate himself, to have government prove case beyond a reasonable doubt, and to require government to prove every element of the charges, and that defendant's pleas of guilty were unequivocally and voluntarily entered. Attached to Mr. Daugherty's interrogatories is a letter dated May 11, 1971 from movant indicating "that a deferred sentence would be the best," and, that he would soon graduate from college. Jim Baker, Undersheriff, states in his responses that he assisted Sheriff Elbert Moore in arresting the defendant,

that defendant refused to surrender keys and force was used to obtain them which resulted in the described injuries to the defendant, that defendant was only in custody one day and was never threatened, coerced or encouraged by anyone in the Sheriff's Department to enter the pleas of guilty two years later.

With the burden of proof herein on the government, the evidence establishes that the pleas of the defendant in Hughes County in 1971 were voluntarily entered in keeping with Boykin, supra. The Court further finds that this collateral attack on the Hughes County pleas can be properly adjudicated on the extant record. Accordingly, in compliance with the opinion of the Court of Appeals this Court finds that the government has sustained its burden of showing that the challenged pleas were freely and voluntarily entered and that the defendant's Motion to Vacate Sentence under § 2255 . should be and hereby is overruled. In view of the above action defendant's Motion to Set Bond recently filed herein is overruled.

Dated this 12 day of February, 1981.

UNITED STATES DISTRICT

United States District Court fo United States of America vs. NORTHERN DISTRICT OF OKLAHOMA CHARLES B. NELL DEFENDANT DOCKET NO. - 281-CR-5-C ION/SOMMITMENT ORDER In the presence of the attorney for the government YEAR the defendant appeared in person on this date 02-11-81 COUNSEL → WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel. XX WITH COUNSEL __<u>SCOTT_DRAUGHON,_retained</u> (Name of counsel) XX_I GUILTY, and the court being satisfied that L____I NOLO CONTENDERE. **PLEA** → NOT GUILTY there is a factual basis for the plea, ■ NOT GUILTY. Defendant is discharged There being a finding wenter of Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C., Section 641, as charged in the Indictment. FINDING & JUDGMENT The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: 東東東東東東東東 † THE IMPOSITION OF SENTENCE is hereby suspended, and the Defendant is placed on Probation for a period of Three (3) SENTENCE -Years. 0R **PROBATION** IT IS FURTHER ORDERED that in addition to the usual conditions ORDER of probation, the Defendant shall pay a fine to the United States of America in the amount of Five Hundred Dollars (\$500.00). SPECIAL CONDITIONS OF **PROBATION** FILED FEB 1 1 1981 Jun ... Jack C. Silver, Clerk: U. S. DISTRICT COURT **ADDITIONAL** In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period. CONDITIONS OF **PROBATION** The court orders commitment to the custody of the Attorney General and recommends, It is ordered that the Clerk deliver a certified copy of this judgment COMMITMENT and commitment to the U.S. Mar-RECOMMENshal or other qualified officer. DATION SIGNED BY lelwok LXXJ U.S. District Jude _] U.S. Magistrate 2-11-81

United States o	of America vs. 1				ited Su				
DEFENDANT	ROCKY	DEWAYNE	KILLINGSW		the NORTH				AHOMA
	, L				DOCKET NO.	7	ORDE	Ъ	
			/ for the governme						-245 (6/74)
	1		son on this date =				02	03	91
COUNSEL	KXXI WITH O	UT COUNSEL	have counsel appo	ointed by the cou	ndant of right to count and the defendant to pointed County (Name of county)	hereupon v			
PLEA	/	Y , and the court a factual basis fo		t	NOLO CONTENDE	ĒRE,	L NO	T GUILTY	
	There being a	finding (serdic t o	of { KXX.I GUI	GUILTY. De	fendant is discharge	d			
FINDING & JUDGMENT	Defendant has	s been convicted on 2113 (b)	as charged of the c	offense(s) of h	aving vi b la in the Ind	ited T	itle 18 nt.	3, U.S.(2.,
SENTENCE OR PROBATION ORDER	was shown, or	appeared to the description of t	tion of Selant Rocky on probat	entence i	t should not be pronount guilty as charged a ized representative for seather the seather seather than the seather seat	spend	ed and order	ed that The	he contrary
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OF PROBATION					FEB 3	1981			
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ADDITIONAL CONDITIONS OF PROBATION	reverse side of any time during	this judgment be in g the probation per	mposed. The Court m	hay change the co	hereby ordered that t nditions of probation, period of five years p	reduce or	extend the ne	riod of probat	tion and at
COMMITMENT RECOMMEN- DATION	Approve Kenneth	P. Snoke	om: f	the Attorney C	General and recomm	nends,	a certified and commi	d that the Cler copy of this j trent to the User qualified off	udgment U.S. Mar-
SIGNED BY	•	^				CE	, rr	ATRUE CO	PYN
U.S. Distric		Theres.	m DIA	BONT		T F	HIS DATE	91/130	ahm/
U.S. Magist	XX	OMAS R. BI	RETT	Data		В	v avera	* WILL	CLERK) DEPUTY
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	America vs.		Onred	S tes	s Distr	ict Co	ourt fo
l	PRINTE BADDY PD	NW U	NORT	HERN DIS	TRICT OF	<u>OKLAHO!</u>	<u>wa</u>
DEFENDANT	KEVIN BARRY KRC a/k/a Barry Crc		l	KET NO. ➤ L	80-CR-S	4-E	
	SUPPLEMENTAL JUDGMENT	AND PROBA	TION/COM	MITME	NT ORD	ER .	O-245 (5/75)
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	In the presence of the atto the defendant appeared in		nt		2 MONTH	3 3	81
COUNSEL	WITHOUT COUNSI WITH COUNSEL	EL However the country have counsel appoint David S. Fit		defendant there	el and asked who eupon waived assis	ether defenda stance of coun	ant desired to
PLEA	there is a factual bas	• ,			, <u>X</u> NO	OT GUILTY	•
FINDING & JUDGMENT	There being a finding/vero Defendant has been convi Section 371 as 1343 and 2 as	icted as charged of the c	offense(s) of havin	g viålat tle 18,	U.S.C., S	Section	s.c.,
	The court asked whether de was shown, or appeared to hereby committed to the cus	the court, the court adjud	ged the defendant guilty	as charged and	convicted and ord	lered that: Th	to the contrar he defendant
	Counts 1 & 2 -	FIVE (5) YEAR					
OF NITENOF		tall tomocat.	ively with so	ntence 1	mposed in	1 Count	one.
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OR PROBATION	Counts 3 - 7 -	The imposition defendant is FIVE (5) YEAR	on of sentence placed on pr RS, to commen	e is sus obation ce upon	pended ar for a per telease is s one and	nd the riod of from d two.	
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In the presence of the attorney for the government the defendant appeared in person on this date. WITHOUT COUNSEL However the count advised defendant of tight to caused and saked whether defendant decreased applications to the state of counsels.	FENDANT	WHIT YANCY MAUZY, JR.	· _
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WITHOUT COUNSEL MOTHOUT COUNSEL However the count advised defendant of right to counsel and asked whether defendant have commel appointed by the count and the defendant thereupon waived assistance of counsel. X		In the presence of the attorney for the government the defendant appeared in person on this date	<u>=</u>
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Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C., Section 371 as charged in Count 1 and Title 18, U.S.C., Section 1914 as charged in Counts 2 thru 7 of the Indictment. The court asked whether defendant had anything to say why judgment should not be prosounced. Because no sufficient cause to the was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that The defendant man and the proposed of the sevent counts, for a study as described in T. 18, U.S.C., Section 4205(d), the result of such study to be furnished this Court within 90 days, whereupon the sentence of imprisonment herein imposed may be subject to modification in accordance with T. 18, U.S.C., Section 4205(c). IT IS FURTHER ORDERED that the execution of this sentence is defer until the U.S. Narshal notifies the defendant of the exact date treport, at which time the defendant will voluntarily report to the designated institution. SPECIAL CONDITIONS OF PROBATION ADDITIONAL CONDITIONS OF PROBATION The court orders commitment to the custody of the Atorney General and recommends, placement at the U.S. Medical Center for Federal Prisoners, Springfield, Missouri. The court asked whether defendant had anything to say why judgment should not be promounced. Because no sufficient cause to the was should not be prosounced and ordered that the section of the study of the exact date to study of the Atorney General and recommends, placement at the U.S. Medical Center for Federal Prisoners, Springfield, Missouri. The court asked whether defendant had anything to say why judgment should not be prosounced and convicted and ordered that the green country as the conditions of probation or country and ordered that the probation of the variety of the period of five years permitted by law, may issue a warrant approbation for a violation occurring during the probation period. Commitment The Country of the period of the period of five years permitted by law, may issue	PLEA	there is a factual basis for the plea,	X NOT GUILTY
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- (MONINERA DI	STRICT OF OKLA	WANT F
EFENDANT >	GERALD LEE PUCKETT,			
}	a/k/a Gerald L. Puckitt	DOCKET NO.	80-CR-54-E	
	SUPPLEMENTAL			
	JUDGMENT AND PROBATIO	N/COMMITM	IENT ORDER	AO 245 🗐
	In the presence of the attorney for the government the defendant appeared in person on this date		MONTH 2	DAY YE
COUNSEL (have counsel appointed by the	ne court and the defendant	ounsel and asked whether d thereupon waived assistance o	efendant desire of counsel.
	X WITH COUNSEL Richard Amatucci	(Name of cour	isel)	
PLEA	there is a factual basis for the plea,	NOLO CONTEND		ILTY
	There being #系統mg/verdict of {	 Defendant is discharg 	ed	
FINDING & JUDGMENT	Defendant has been convicted as charged of the offense(s) Section 371 as charged in Count >1343 and 2 as charged in Counts	of having viol 1 and Title 18 2 thru 7 of th	ated Title 18, , U.S.C., Sect le Indictment.	U.S.C.,
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ORDER				
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